



COMMONWEALTH of VIRGINIA
Office of the Attorney General

Kenneth T. Cuccinelli II
Attorney General

900 East Main Street
Richmond, Virginia 23219
804-786-2071
FAX 804-786-1991
Virginia Relay Services
800-828-1120
7-1-1

August 9, 2013

Amy L. Austin, Esq.
The Law Office of Amy L. Austin
101 Shockoe Slip, Suite O
Richmond, Virginia 23219

**RE: Appointment as Special Counsel to the Commonwealth of Virginia and
Virginia Commonwealth University (SCA No. 2013-11)**

Dear Ms. Austin:

On behalf of Virginia Attorney General Kenneth Cuccinelli, II, it is my pleasure to appoint you and your firm to serve as special counsel to Commonwealth of Virginia and Virginia Commonwealth University. This appointment is pursuant to the Attorney General's grant of authority in § 2.2-507(c) of the Code of Virginia.

This appointment will commence as of the date of this letter, provided your acceptance is received by this Office within ten days and will continue through its completion, subject to the right of the Office of the Attorney General to terminate the appointment at any time, with or without cause. This Office reserves the right to assign or appoint other counsel on an as-needed basis.

Scope of Services

You and your firm are appointed to serve as special counsel to the Commonwealth of Virginia and Virginia Commonwealth University to represent the personnel of Virginia Commonwealth University identified below for matters arising out of their testimony, interviews, or other inquiries

related to an investigation by federal authorities of research grants provided by Star Scientific, Inc. If circumstances dictate an expansion of the representation, you will need to contact this Office and seek a modification of this agreement.

Virginia Commonwealth University Personnel

Billing

You have agreed to the hourly billing outlined in the table below.

Timekeeper	Position	Std. Hourly Rate	Discounted Hourly Rate
Amy L. Austin	Partner	\$300	\$250

Any change in the budget, rates, or addition of timekeepers will require prior written approval by this Office. Please be advised that these are the only attorneys/timekeepers approved to bill under this appointment. No timekeeper may be added, changed or substituted under this appointment except by advance, express, written consent of this Office. Requests for timekeepers not listed in this appointment letter and/or in the original proposal (including résumés), must be submitted to and approved by this Office. Billings for unauthorized timekeepers will not be approved or paid.

Work will be billed in 1/10 of an hour increments. No separate charge may be made for clerical or administrative tasks; this includes, but is not limited to: file set-ups, scheduling appointments, arranging for deliveries, ordering photocopies and making travel arrangements. Regarding expenses, there will be no charge for routine facsimile transmissions, photocopies, postage, shipping, couriers, long-distance phone charges, legal research or other incidental office expenses unless such expenses are pre-approved in writing. Such expenses are included in your rate for professional services. You will be reimbursed only for your direct and actual costs for other customary out-of-pocket expenses without markup, subject to acceptable documentation, including expert witness fees, court fees, filing fees and other extraordinary expenses. All expenses claimed for reimbursement must be supported by well-organized back-up documentation, such as outside vendor invoices or statements.

Should travel be necessary, only travel time and expenses for travel beyond a fifty (50) mile round trip may be billed. Time during travel will be billed at fifty percent (50%) of the timekeeper's authorized hourly rate and must be noted separately on the invoice as travel time. Travel expenses will be calculated and billed pursuant to the current Virginia travel guidelines and at the authorized Virginia rates, and will be reimbursed if itemized with receipts or appropriate documentation, in

Amy L. Austin, Esq.
The Law Office of Amy L. Austin
SCA No. 2013-11
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accordance with guidelines posted for special counsel on the Office of the Attorney General website at www.oag.state.va.us or www.vaag.com (click on "About the Office" and go to the "Special Outside Counsel" link). The state rates for hotel and *per diem* vary by location. Only one timekeeper may bill for time spent by multiple timekeepers at conferences, meetings, court appearances, and the like.

Detailed statements should be provided that will permit thorough monitoring of legal services. The billing statement for each matter must contain a detailed description of the work performed on a daily basis, identifying all personnel involved (name, position and hourly rate), the amount of time expended on each service and the authorized charges associated with the work performed. Billing statements should include an itemization of all costs and include copies of invoices for travel and other authorized out-of-pocket expenses (if applicable).

Your billing statement should be mailed directly to David E. Johnson, Esq., University Counsel for Virginia Commonwealth University, at the address shown below. Mr. Johnson or his designee will carefully review all billings on an ongoing basis. Payment of statements will be the sole responsibility of Virginia Commonwealth University and shall not be an obligation of this Office or its staff. Your billing must detail the nature of the service provided. Your billing must also reference **SCA 2013-11** for timely processing.

Conflicts; Confidentiality

The State and Local Government Conflict of Interests Act (Va. Code § 2.2-3100 *et seq.*) and the General Assembly Conflict of Interests Act (Va. Code § 30-100 *et seq.*) apply to this representation. With this in mind, please canvass your firm for anyone who is an "employee," "officer" or "legislator" as defined in those Acts. This includes anyone appointed, even in an unpaid capacity, to a board or commission. Please contact me by letter if anyone in your firm meets these criteria.

By accepting the responsibility of serving as outside counsel in this matter, you and your firm agree not to represent parties in the same or substantially related matter in which the interests of those parties are materially adverse to Virginia Commonwealth University, the Office of the Attorney General, or any of their respective employees without first receiving a waiver from Virginia Commonwealth University. Please call me if you have any questions concerning conflicts.

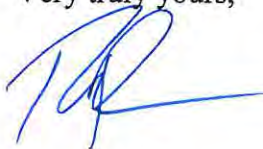
If this letter is in accordance with your firm's understanding of the terms of this engagement, *please sign the signature/acceptance page and return it to me.*

I welcome you to the group of distinguished and highly competent attorneys representing the interests of the Commonwealth. Thank you for your service on behalf of the Commonwealth.

Amy L. Austin, Esq.
The Law Office of Amy L. Austin
SCA No. 2013-11
August 9, 2013
Page 4 of 5

With kind regards, I am

Very truly yours,

A handwritten signature in blue ink, appearing to be 'RP' followed by a long horizontal stroke.

Ryan Pedraza
Senior Assistant Attorney General


Amy L. Austin, Esq.
The Law Office of Amy L. Austin
SCA No. 2013-11
August 9, 2013
Page 5 of 5

PLEASE SIGN AND RETURN THIS PAGE TO:

Ryan Pedraza
Senior Assistant Attorney General
Office of the Attorney General
900 East Main Street
Richmond, Virginia 23219

FIRM

BY:



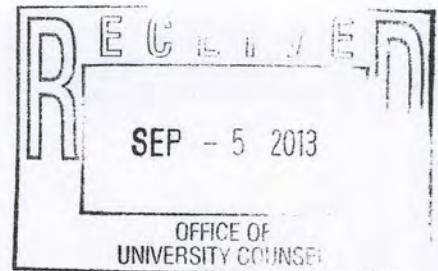
Amy L. Austin, Esq.

DATE:

8.9.13

cc: David E. Johnson, Esq.
University Counsel
Virginia Commonwealth University
16 North Laurel Street
Richmond, Virginia 23284-3090

THE LAW OFFICE OF AMY L. AUSTIN, P.L.L.C.
101 SHOCKOE SLIP, SUITE O
RICHMOND, VIRGINIA 23219
804.343.1900
804.343.1901 FAX
AMYAUSTINLAWYER@GMAIL.COM



September 4, 2013

David E. Johnson, Esquire
University Counsel
Virginia Commonwealth University
16 North Laurel Street
Richmond, VA 23284-3090

Re: Payment for legal services provided in August 2013
SCA 2013-11

Dear Mr. Johnson,

Enclosed is a copy of my report for services rendered in August 2013 in connection with my appointment by the Office of the Attorney General to represent personnel of Virginia Commonwealth University.

A summary of the report is that I spent 5 hours, 23 minutes, and 28 seconds working on matters pertaining to the OAG appointment. At an hourly rate of \$250.00, the total bill is \$1,347.79. ✓

If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read "Amy L. Austin".

Amy L. Austin

Subject: Time Master Report 9/4/13, 12:59 PM

Date: Wednesday, September 4, 2013 12:59:30 PM Eastern Daylight Time

From: Amy Austin

To: amyaustinlawyer@gmail.com

Report Start Date: 8/1/13

Report End Date: 8/31/13

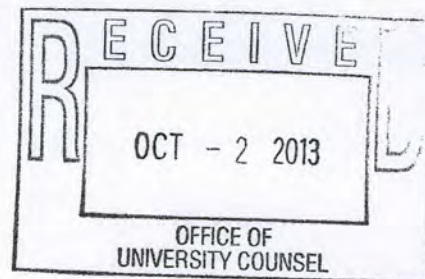
Type	Date	Client	Client Code	Project	Project Code	Task	Task Code	Duration/Quantity	Rate/Amount	Total	Attribute	Start Time	Stop Time	Odometer	Session Date	Session Start
Time Entry	8/9/13	Attorney general appointment						0.2000	250.00	50.00		5:19 PM	5:31 PM			
Time Entry	8/12/13	Attorney general appointment						0.0500	250.00	12.50		9:19 AM	9:22 AM			
Time Entry	8/12/13	Attorney general appointment						0.0411	250.00	10.28		10:17 AM	10:19 AM			
Time Entry	8/12/13	Attorney general appointment						0.7667	250.00	191.67		11:30 AM	12:16 PM			
Time Entry	8/12/13	Attorney general appointment						0.7167	250.00	179.17		3:43 PM	4:26 PM			
Time Entry	8/13/13	Attorney general appointment						1.1000	250.00	275.00		10:59 AM	12:05 PM			

Time Entry	8/14/13	Attorney general appointment							2.3000	250.00	575.00			1:48 PM	4:06 PM			
Time Entry	8/28/13	Attorney general appointment							0.0667	250.00	16.67			8:15 PM	8:19 PM			
Time Entry	8/29/13	Attorney general appointment							0.1500	250.00	37.50			2:30 PM	2:39 PM			

Cost from Mr. Pham

$$5.3912 \times 250 = \$1,347.80$$

THE LAW OFFICE OF AMY L. AUSTIN, P.L.L.C.
101 SHOCKOE SLIP, SUITE O
RICHMOND, VIRGINIA 23219
804.343.1900
804.343.1901 FAX
AMYAUSTINLAWYER@GMAIL.COM



October 1, 2013

David E. Johnson, Esquire
University Counsel
Virginia Commonwealth University
16 North Laurel Street
Richmond, VA 23284-3090

Re: Payment for legal services provided in September 2013
SCA 2013-11

Dear Mr. Johnson,

Enclosed is a copy of my report for services rendered in September 2013 in connection with my appointment by the Office of the Attorney General to represent personnel of Virginia Commonwealth University.

A summary of the report is that I spent 6 hours and 3 minutes working on matters pertaining to the OAG appointment. At an hourly rate of \$250.00, the total bill is \$1,512.50.

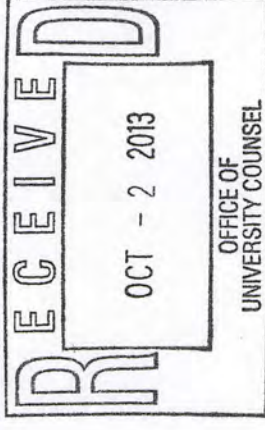
If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read "Amy L. Austin".

Amy L. Austin

Subject: Time Master Report 9/30/13, 5:55 PM
Date: Monday, September 30, 2013 5:55:33 PM Eastern Daylight Time
From: Amy Austin
To: amyaustrinlawyer@gmail.com
Report Start Date: 9/1/13
Report End Date: 9/30/13



Type	Date	Client	Client Code	Project Code	Project Code	Task Code	Task Code	Duration	Rate	Total	Attributes	Reference	Start Time	Stop Time	Session Date	Session Start	Session Stop	S Du
Time Entry	9/3/13	Attorney general appointment						0.1500	250.00	37.50			5:12 PM	5:21 PM				
Time Entry	9/4/13	Attorney general appointment						0.2333	250.00	58.33			1:50 PM	2:04 PM				
Time Entry	9/4/13	Attorney general appointment						0.1333	250.00	33.33			12:04 PM	12:12 PM				
Time Entry	9/5/13	Attorney general appointment						0.2000	250.00	50.00			6:00 PM	6:12 PM				
Time Entry	9/5/13	Attorney general appointment						0.1500	250.00	37.50			1:18 PM	1:27 PM				
Time Entry	9/5/13	Attorney general appointment						0.1000	250.00	25.00			5:41 PM	5:47 PM				

[illegible]

Time Entry	9/24/13	Attorney general appointment						0.0833	250.00	20.83							8:35 AM	8:40 AM		
Time Entry	9/24/13	Attorney general appointment						0.0667	250.00	16.67							1:33 PM	1:37 PM		
Time Entry	9/25/13	Attorney general appointment						0.3667	250.00	91.67							2:14 PM	2:36 PM		

6.05 x 250 = \$ 1,512.50

Cont from Mr. Dhana